

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/799,505
		Filing Date	3/11/2004
		First Named Inventor	Yang Gao
		Examiner Name	Unknown
		Art Unit	Unknown
Total Number of Pages in This Submission	48	Attorney Docket Number	0160114

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Exhibit 1 (34 pages)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Exhibit 2
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	3. Exhibit 3 (2 pages)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		4. Exhibit 4
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		5. Exhibit 5
		6. Copy of Notice of Incomplete Application
		7. Postcard

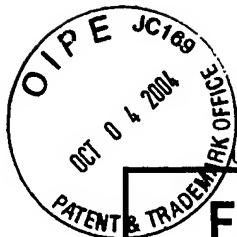
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Farshad Farjani, Esq., Reg. No. 41,014
Signature	Farjani & Farjani, LLP.
Date	September 28, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Type or printed name	Lesley Lam		
Signature		Date	September 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number	10/799,505
Filing Date	3/11/2004
First Named Inventor	Yang Gao
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	0160114

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit
Account
Number

50-1867

Deposit
Account
Name

Mindspeed Technologies, Inc.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20**=	-3**=		
				X	
				X	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$130.00)

SUBMITTED BY

Name (Print/Type)

Farshad Farjami, Esq.

Registration No.
(Attorney/Agent)

41,014

Complete (if applicable)

Telephone

(949)282-1000

Signature

Date

9/28/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gao, Yang	Group Art Unit: Unknown
Application Serial No.: 10/799,505	Examiner: Unknown
Filed: March 11, 2004	
Title: Simple Noise Suppression Model	

PETITION UNDER 37 CFR § 1.53(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

This petition is filed under 37 CFR § 1.53(e) in response to the Notice of Incomplete Non-Provisional Application, dated September 23, 2004, in the above-referenced patent application. For the reasons that follow, applicant respectfully requests that the filing date of March 11, 2004, to be accorded to the present application.

Applicant respectfully submits that, as shown by the enclosed evidence, all the requirements for obtaining a filing date were met, in the above-referenced application, by submission of the enclosed patent application and its accompanying documents to the USPTO, via express mail, on March 11, 2004.

In support of the present petition, under 37 CFR § 1.53(e), applicant has enclosed the following exhibits:

- (1) A copy of the patent application (including written description, claims, abstract and drawings), declaration/power of attorney, and assignment documents, as express mailed to the USPTO on March 11, 2004;
- (2) A copy of the return postcard from the USPTO acknowledging receipt of all the items listed in the previous paragraph and assigning the filing date of March 11, 2004;
- (3) A copy of Certificate of Express Mailing, signed and dated March 11, 2004;
- (4) A copy of the Express Mail receipt from the United States Post Office, dated March 11, 2004;
- (5) Declaration of Farshad Farjami, Esq., in support of the present petition.
- (6) The fee set forth in § 1.17(h) in the amount of \$130.00; and

Applicant respectfully submits that the enclosed twenty-three (23) pages of written description, claims and abstract, and five (5) sheets of drawings, declaration/power of attorney and assignment were express mailed to the USPTO, on March 11, 2004, as certified in the enclosed certificate of express mailing. Further, on March 22, 2004, applicant received the enclosed return postcard from the USPTO acknowledging receipt of the aforementioned patent application and its accompanying documents, and assigning the filing date of March 11, 2004 and serial number 10/799,505 to the present application.

As shown, the enclosed return postcard clearly lists the enclosed items, including the number of pages. For example, the return postcard specifies: Patent Application Cover Sheet (2 pages)-- which includes the Certificate of Express Mailing; Recordation Cover Sheet and Assignment (3 pages); Combined Declaration and Power of Attorney (3 pages); Patent Application (23 pages)-- which includes written description, claims and abstract; and Five (5)

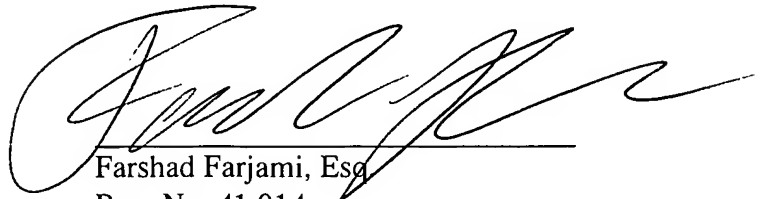
Sheets of Drawings. In addition, the enclosed return postcard specifies the title of the present application, i.e. "Simple Noise Suppression Model", and Attorney Docket Number 0160114.

Applicant respectfully submits that the enclosed evidence entitles the above-referenced patent application to the filing date of March 11, 2004. Further, the enclosed documents complete the missing items mentioned in the Notice of Incomplete Non-Provisional Application, dated September 23, 2004, such as claims, drawings, abstract and declaration/power of attorney. A favorable decision is respectfully requested.

Please charge the petition fee in the amount of \$130.00 to Deposit Account No. 50-1867.

Please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully Submitted;
FARJAMI & FARJAMI LLP



Farshad Farjami, Esq.
Reg. No. 41,014

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FARJAMI & FARJAMI LLP
26522 La Alameda Ave., Suite 360
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Fax: (949) 282-1002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "First Class Mail Post Office to addressee" under 37 C.F.R. Sec. 1.10 addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on 9/28/04

LESLIE L. LAM
Name

[Signature]
Signature

MIN: 03M0011/US



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/799,505	03/11/2004	Yang Gao	0160114

CONFIRMATION NO. 8314

25700
 FARJAMI & FARJAMI LLP
 26522 LA ALAMEDA AVENUE, SUITE 360
 MISSION VIEJO, CA 92691

FORMALITIES LETTER



OC000000013879376

Date Mailed: 09/23/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.
- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

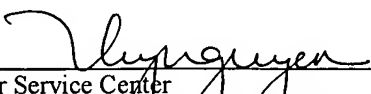
The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY